

STATE OF MICHIGAN
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
BEFORE THE STATE BOUNDARY COMMISSION

In the matter of:

Boundary Commission
Docket #98-AP-6

The proposed annexation of
territory in Fillmore Township
to the City of Holland.

SUMMARY OF PROCEEDINGS
FINDINGS OF FACT AND CONCLUSION

This matter of the proposed annexation of the following territory situated in Fillmore Township to the City of Holland is described as follows:

That part of the Southwest 1/4 of Section 10, Town 4 North, Range 15, West, Fillmore Township, Allegan County, Michigan, described as: Commencing at the West 1/4 corner of said Section 10; thence South 88 degrees 08 minutes 31 seconds East 332.20 feet along the East and West 1/4 line of said section to a point on the centerline of M-40 and the Point of Beginning; thence continuing South 88 degrees 08 minutes 31 seconds East 2209.66 feet along the East and West 1/4 line of Section 10 to the Northerly right-of-way line of I-196 thence along the Northerly right-of-way line of I-196 the following nine courses; thence South 52 degrees 36 minutes 12 seconds West 346.36 feet; thence South 60 degrees 53 minutes 28 seconds West 352.81 feet; thence South 82 degrees 58 minutes 47 seconds West 352.81 feet; thence North 88 degrees 43 minutes 56 seconds West 459.30 feet; thence South 54 degrees 05 minutes 16 seconds West 183.19 feet; thence North 80 degrees 47 minutes 02 seconds West 169.50 feet; thence along a curve to the right an arc distance of 431.56 feet; a radius of 68674.90 feet whose chord bears North 35 degrees 25 minutes 02 seconds West 431.56 feet; thence North 35 degrees 14 minutes 14 seconds West 53.08 feet; thence South 54 degrees 45 minutes 46 seconds West 80.00 feet; thence North 35 degrees 14 minutes 14 seconds West 266.90 feet along the centerline of M-40 to the point of beginning.

SUMMARY OF PROCEEDINGS

- A. On July 9, 1998 a petition was filed requesting the annexation of certain territory in Fillmore Township to the City of Holland.
- B. On August 6, 1998, an adjudicative meeting was held to determine legal sufficiency and the petition was found to be legally sufficient pursuant to Public Act 191 of 1968, as amended, and Public act 279 of 1909, as amended.

- C. On September 30, 1998, a public hearing was held to receive testimony given pursuant to Public Act 191 of 1968, as amended. Notice of said hearing was published and mailed pursuant to Section 8 of Public Act 191 of 1968 as amended.
- D. On February 11, 1999, State Boundary Commissioners VerBurg, Walker and Rutledge and Allegan County Boundary Commissioners Koster and Heckman held an adjudicative meeting during which they unanimously voted to recommend denial of the annexation to the Director of the Department of Consumer & Industry Services.

FINDINGS OF FACT

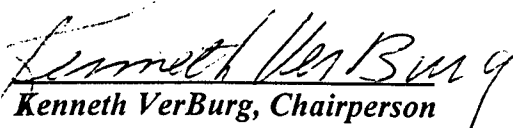
- 1. The Petitioner filed the petition for the purpose of obtaining public water and other public infrastructure services from the City of Holland.
- 2. The City of Holland and Fillmore Township have entered into an Urban Cooperation Agreement and adopted mutual resolutions approving annexation of the parcel petitioned for annexation in Docket #98-AP-6.
- 3. The parties requested that the annexation be denied.

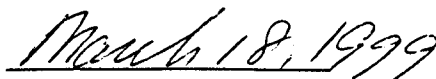
THE COMMISSION FINDS THAT

- 1. The City of Holland and Fillmore Township have adopted mutual resolutions for the annexation of the subject territory pursuant to Section 9(8) of the Home Rule Cities act, MCL 117.9(8) and all parties have requested denial of the Docket #98-AP-6 annexation petition.

IN CONCLUSION:

- 1. The Commission has considered the record of this docket in accordance with the criteria stipulated under Section 9 of Public Act 191 of 1968, as amended.
- 2. On February 11, 1999, State Commissioners Rutledge, Walker and VerBurg and Allegan County Boundary Commissioners Koster and Heckman held an adjudicative meeting during which the draft Findings of Fact and Conclusion was reviewed, and the Commission unanimously voted to adopt the Findings of Fact and Conclusion.


Kenneth VerBurg, Chairperson
State Boundary Commission


Date

STATE OF MICHIGAN
DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES
BEFORE THE STATE BOUNDARY COMMISSION

In the matter of:

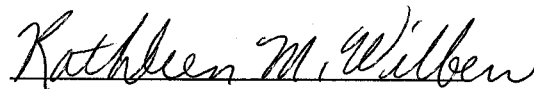
Boundary Commission
Docket #98-AP-6

The proposed annexation of
territory in Fillmore Township
to the City of Holland.

FINAL ORDER


IT IS ORDERED THAT this order **denying** the annexation of certain territory in Fillmore Township into the Home Rule City of Holland shall be final and effective **30 days after** the date signed by the Director of the Department of Consumer & Industry Services.

IT IS FURTHER ORDERED THAT this order incorporates the attached Findings of Fact and Conclusion made by the State Boundary Commission and that the State Boundary Commission shall transmit a certified copy of these Findings of Fact and Conclusion to the petitioner and to the clerks of the City of Holland, Fillmore Township, and Allegan County.



Kathleen M. Wilbur, Director

Michigan Department of Consumer & Industry Services


Date